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5 **UNITED STATES DISTRICT COURT**
 6 **DISTRICT OF NEVADA**

7 VANESSA AOUN, } 2:24-cv-1465-APG-DJA
 8 Individually, }
 9 Plaintiff, }
 10 vs. }
 11 CITY OF LAS VEGAS, a Nevada }
 12 municipality, }
 13 DOES 1-10, inclusive; ROE }
 14 CORPORATIONS 1-10, inclusive, }
 15 Defendants. }
 16

STIPULATION TO EXTEND DISCOVERY PLAN AND SCHEDULING
ORDER DATES
(First Request)
(Submitted in Compliance with LR-26-b)

17 The Plaintiff, VANESSA AOUN, by and through her undersigned counsel, KIRK
 18 T. KENNEDY, ESQ., and the Defendant, CITY OF LAS VEGAS, by and through its
 19 undersigned counsel, Timothy J. Geswein, Deputy City Attorney, hereby submit this first
 20 request to extend the Scheduling Order and Discovery Plan dates. For the reasons stated
 21 herein, the parties request a 90 day extension from the current discovery deadline of
 22 February 24, 2025.

23 **DESCRIPTION OF ACTION:** This is a federal discrimination matter related to
 24 Plaintiff's employment with the Defendant. The Defendant denies all claims for relief.

25 **1. Discovery Completed To Date:**

26 The parties have exchanged all initial production. The Plaintiff has served
 27 interrogatories which the Defendant has answered. The Defendant has served
 28 interrogatories which are pending being answered by the Plaintiff.

The Court may recall that at the prior hearing on November 27, 2024, ECF 19, regarding the Defendant's motion to stay discovery, the Court was advised of a relevant Ninth Circuit appeal pending which may have impact upon this matter. Aoun's prior case against the Defendant City under case number 2:22-cv-1751-GMN-EJY is now on appeal at the Ninth Circuit under appeal case number 24-1537. The Ninth Circuit has scheduled oral argument on that related matter for April 2, 2025.

The resolution of that appeal matter may have relevance to the factual issues raised in this case, as the parties advised the Court previously on November 27, 2024. The discovery completed in case number 22-1751 may be utilized in this matter and does not need to be duplicated by the parties.

At the hearing on November 27, 2024, this Court did partially grant the City's motion to stay discovery. The parties were allowed to proceed with written discovery only as a result of that Order, which remains in effect.

2. Discovery that remains to be completed:

Given the reliance by both parties on the prior discovery completion in 22-1751, the parties have limited discovery to complete in this matter which may include the Plaintiff's deposition by the Defendant City and the Plaintiff may take 2-3 depositions of City personnel involved in her termination of employment which is the basis of her pending retaliation claims. However, given the Court's partial granting of the City's motion to stay discovery on November 27, 2024, the parties are stayed at the present from taking any depositions, as only written discovery is allowed at this time.

3. Reasons why discovery has not been completed to date:

While the parties may only need to conduct a limited number of depositions, there remains uncertainty with the upcoming decision from the Ninth Circuit in the referenced appeal. The appeal decision may address the matters raised in this case, which may moot any further discovery. However, if the Ninth Circuit grants Aoun's appeal, that decision may have bearing on the necessity for additional discovery in this matter.

The parties agree that by extending this matter for 90 days from February 24, 2025, the Ninth Circuit will have issued a written decision within this time frame, as the

1 oral argument date is now confirmed for April 2, 2025. The Ninth Circuit should issue its
 2 decision within 30 days of the April 2, 2025, oral argument setting. The decision may
 3 create the necessity for additional discovery in this matter.

4 Based on this procedural status, the parties move that this stipulation is entered
 5 into in good faith and not for any improper purpose nor unnecessary delay. All aspects of
 6 the Court's order partially staying discovery remain in effect.

7 **PROPOSED DISCOVERY SCHEDULE:**

8 1. Estimated time required for remaining discovery: The parties request a discovery
 9 extension of 90 days from the current discovery deadline of February 24, 2025, to a new
 10 deadline date of May 27, 2025 (the 90th day is Sunday, May 26, 2025 and the federal
 11 Memorial Day holiday is Monday, May 27, 2025).

12 2. The parties shall have until June 26, 2025 to file dispositive motions. This is 30 days
 13 after the discovery cut-off date and does not exceed the outside limit of thirty (30) days
 14 following the discovery cut-off date that LR 26-1(e)(4) presumptively sets for filing
 15 dispositive motions.

16 3. The pretrial order shall be filed by July 28, 2025 (the 30th day is Saturday, July 26,
 17 2025), which is not more than thirty (30) days after the date set for filing dispositive
 18 motions in the case. This deadline is suspended if dispositive motions are timely filed
 19 and, in such case, the deadline for filing the pretrial order shall be thirty (30) days after
 20 decision on said dispositive motions, or by further order of the court. The disclosures
 21 required by FRCP Rule 26 (a)(3) shall be
 22 made in the joint pretrial order.

23 /s/ Kirk T. Kennedy
 24 KIRK T. KENNEDY, ESQ.
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 28 (702) 385-5534
 Attorney for Plaintiff

Dated: 1/30/25

/s/ Timothy J. Geswein
 24 TIMOTHY J. GESWEIN
 25 Deputy City Attorney
 26 Nevada Bar No:10049
 27 City Attorney's Office
 28 495 S. Main St., 6th Fl.
 Las Vegas, NV 89101
 (702) 229-6629
 Attorney for Defendant

Dated: 1/30/25

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2:24-cv-1465-APG-DJA

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ORDER

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IT IS SO ORDERED that the parties' Stipulation to Extend Discovery Plan and
Scheduling Order Dates (ECF No. 20) is GRANTED.

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DATED: 2/3/2025



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UNITED STATES MAGISTRATE JUDGE

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Submitted by:

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/s/Kirk T. Kennedy
KIRK T. KENNEDY, ESQ.
Nevada Bar No: 5032
Attorney for Plaintiff

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